

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

NIPPONKOA INSURANCE COMPANY
LIMITED--US BRANCH

SUMMONS IN A CIVIL ACTION

V.
RAIL EXPRESS, INC. d/b/a REX
TRANSPORTATION COMPANY

CASE NUMBER:

07 CIV. 9579

JUDGE SULLIVAN

TO: (Name and address of Defendant)

Rail Express, Inc.
400 East Main St.
Barrington, IL 60010-3219

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Maloof Browne & Eagan
411 Theodore Fremd Ave, Suite 190
Rye, NY 10580
Tel: (914) 921-1200
Fax: (914) 921-1023

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

CLERK

(By) DEPUTY CLERK

OCT 26 2007

DATE

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**CAPITAL** Security & Investigations, Inc.

917 Lunt Ave. • Schaumburg, IL 60193 • (847) 524-0711 • Fax: (847) 524-5899

ENDORSEMENT OF SERVICE AND AFFIDAVITDate Received 10/29/2007
PlaintiffCase Number 07CIV.9579

Last Serve Date (if any):

Type of Service X Normal RUSHNipponkoa Insurance CompanyName Rail Express Inc d/b/a Rex Transportation

Attorney or Firm

Vs.

Defendant

Rail Express Inc. d/b/a Rex Transportation Company

Service Address

400 E. Main Street
Barrington, IL 60010PHONE: 847-874-4000LEGAL EASE INC.139 FULTON STREETNEW YORK, NY 10038FAX: 212-393-9796

County of

COOKILLINOISPersonal Service: By leaving a copy of the Summons and Complaint with the Named Defendant Personally.Substitute Service: By leaving a copy of the Summons and Complaint at the Defendant's usual place of abode with some person of the family, of the age of thirteen (13) years or upwards, and informing that person of the contents thereof.X Corporate Service: By leaving a copy of the Summons and Complaint with the registered agent, or agent of the defendants corporationBY: Printed Name of Process Server: Lori Gonzalez License #: 117-001004/115-001430Writ X Served on Daniel Frommeyer - Attorney for Rail Express, Inc.Sex M M/F Race W Age 50 Ht. 5'10" Wt. 180 Hair Brown /glassesThis 31st day of October 2007 Time 8:30 (A.M./P.M.)Additional Remarks: phone # 847-381-1021 (Office was on 1st Floor)The Named Defendant Was Not Served.Type of Building: Office building

Neighbors Name:

Address:

ATTEMPTED SERVICES

DATE	TIME (AM/PM)	COMMENTS

Comments:

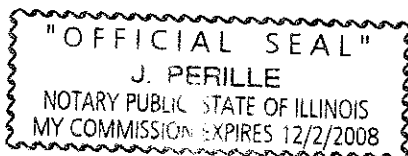
Signed and Sworn to (or Affirmed) by

Fee For Service

I certify that I have no interest in the above action; I am a Processes Server in good standing and served all Documents given to me in this matter.

before me, this 31st day of October-07

Seal



By:

Lori Gonzalez
License # 117-001004/115-001430